

# LYNCHBURG CITY COUNCIL

## Agenda Item Summary

MEETING DATE: **March 26, 2002**

AGENDA ITEM NO.: **17**

CONSENT:

REGULAR: **X**

CLOSED SESSION:

(Confidential)

ACTION:

INFORMATION: **X**

ITEM TITLE: **2002 General Assembly Final Legislative Report**

RECOMMENDATION: N/A

### SUMMARY:

Linda McMinimy will attend your regular meeting to brief Council on the recently concluded session of the 2002 General Assembly. Attached for your information is a summary of the disposition of legislation of interest to the City that Ms. McMinimy tracked. Also attached is a report from the Virginia Municipal League summarizing the state budget. As additional information becomes available on the impacts of the state budget, we will share it with Council.

Ms. McMinimy's appearance before Council is timely as on Thursday, March 28, in Richmond, the Virginia First Cities Coalition will hold a press conference to bring attention to the impacts of state budget action on the localities, and especially the cities, of the Commonwealth.

PRIOR ACTION(S): N/A

FISCAL IMPACT: N/A

CONTACT(S): Linda McMinimy, Kimball Payne

ATTACHMENT(S): General Assembly report; VML Budget Summary.

REVIEWED BY:

## Lynchburg Related Legislation

Bill Number	Patron	Bill Summary	Status	Critical Votes		
				Bryant	Byron	Newman
HB 208	Cole	<b>Real property tax; restrictions on partial exemptions and deferrals.</b> Increases from \$6,500 to \$8,500 the amount of income of each relative living in the dwelling who is not the spouse of an owner that may be excluded from the total combined income calculation when determining if the owner of the dwelling qualifies for the partial exemption or deferral of the real property tax.	<u>House</u> : Passed (98- 0) <u>Senate</u> : Passed (38-0). <u>Governor</u> : Approved.	<u>Floor</u> : Y	<u>Comm</u> : Y <u>Floor</u> : Y	<u>Floor</u> : Y
HB 239	Petersen	<b>Classification of real property; land and improvements.</b> <i>Summary as passed</i> : Permits the City of Fairfax to tax improvements to real property at a lower tax rate than that imposed on the land on which the improvements are located by creating a separate classification for taxation purposes. Effective date: 7/1/03.	<u>House</u> : Passed with amend (72 -27). <u>Senate</u> : Passed (39-0) <u>Governor</u> : Approved.	<u>Floor</u> : Y	<u>Comm</u> : Y <u>Floor</u> : Y	<u>Floor</u> : Y
HB 317	Howell	<b>BPOL tax appeals.</b> <i>Summary as passed</i> : Increases the time in which a person assessed with a license tax to 1 year, or within 1 year from the date of the appealable event, whichever is later, to the assessor for a correction. Also allows any person assessed with a local license tax as a result of a decision that is adverse to such person to apply within 90 days to the Tax Commissioner for a correction. An "appealable event" means an increase in the local license tax assessment payable by a taxpayer, the denial of a refund, or the assessment of a local license tax where none was previously assessed.	<u>House</u> : Passed with substitute (100-0).  <u>Senate</u> : Passed (40-0).  <u>Governor</u> :	<u>Floor</u> : Y	<u>Comm</u> : Y <u>Floor</u> : Y	<u>Floor</u> : Y
HB 318	Howell	<b>Taxation; local business tax appeals.</b> <i>Summary as passed by the House</i> . Increases the time in which a taxpayers seeking initial review of the assessment of business taxes to 1 year from the last day of the tax year for which such assessment is made. An "appealable event" means an increase in the local license tax, the denial of a refund, or the assessment of a local license tax where none was previously assessed. Any taxpayer whose application for a correction of assessment has been denied may apply within 90 days to the Tax Commissioner for correction. A taxpayer may seek review from the Tax Commissioner if it has been pending for more than 2 years.	<u>House</u> : Passed with substitute (100-0). <u>Senate</u> : Passed with amendments (40-0). <u>House</u> : Concur with Senate.  <u>Governor</u> :	<u>Floor</u> : Y	<u>Comm</u> : Y <u>Floor</u> : Y	<u>Floor</u> : Y

				Critical Votes		
				Bryant	Byron	Newman
HB 86	Orrock	<b>Sales tax reduction program on food; definition of food.</b> Excludes from the definition of food, for purposes of the sales tax reduction program, food sold by any retailer where the gross receipts derived from the sale of food prepared by such retailer for immediate consumption on or off the premises constitutes more than 80 percent of that establishment's total gross receipts.	House: Passed (99-0) Senate: Passed (39-0) Governor: Approved	Floor: Y	Comm: Y Floor: Y	Floor: Y
HJ 60	McDonnell	<b>Study; revision of state tax code.</b> <i>Summary as passed by the House:</i> Continues a joint subcommittee that began to examine the revision of the state tax code. The joint subcommittee shall submit its written findings and recommendations to the Virginia Code Commission, the Governor and the 2003 Session of the General Assembly. This resolution incorporates HJR 150.	House: Passed with substitute (100-0). Senate: Passed on voice vote.	Floor: Y	Floor: Y	Floor: Voice Vote

***CARRIED OVER (will be brought up next fall in committee for action)***

HB 371	Cole	<b>Local E-911 tax; allowable exemption.</b> Allows the local governing body to exempt subscribers 65 years of age and older from the local E-911 tax. <i>Carried over by House Finance.</i>		N/A	Comm: Yes to carryover	N/A
HB 209	Cole	<b>Car tax relief; vehicles held in trust.</b> Permits non-business vehicles held through an inter vivos trust to be eligible for car tax relief. <i>Carried over by House Finance.</i>		N/A	Comm: Yes to carryover	N/A
HB 575	May	<b>Individual income tax; distribution to localities;</b> Establishes the Localities' Share of Individual Income Tax Revenue Fund into which 2% of individual income tax revenues shall be deposited in 2003 for distribution to localities. The percentage increases 2% each year until it reaches 10% in 2007. The amount is to be distributed annually is as follows: (i) 50% based on the relative share paid by taxpayers filing returns in each locality; (ii) 40% based on where wages are earned; and (iii) 10% divided equally among all localities. <i>Carried over by House Appropriations.</i>		Comm: Yes to carryover	Comm: Yes to refer to Appropriations.	N/A
SB 253	Miller	<b>Real estate tax; assessments.</b> Assessments of personal residences shall not increase if the residence is used exclusively as the primary residence of the owner. The assessed value shall be increased by the fair market value of any improvement made by the owner. <i>Carried over by Senate Finance.</i>		N/A	N/A	N/A

***DEFEATED***

HB 216	O'Bannon	<b>Motor vehicle sales and use tax.</b> Exempts from the motor vehicle sales and use tax vehicles purchased or leased by a non-resident of the Commonwealth outside the Commonwealth. <i>Stricken from the docket in House Finance.</i>		N/A	Comm: Yes to strike.	N/A
HJ 257	Crittenden	<b>Tax restructuring special session.</b> Applies to the Governor to call a tax restructuring special session after adjournment of the 2002 Regular Session. <i>Defeated in House Rules (13-4).</i>		N/A	N/A	N/A

## **EMPLOYEES/ RETIREMENT** (impacts local officials)

### **CARRIED OVER**

Bill Number	Patron	Bill Summary	Critical Votes		
			Bryant	Byron	Newman
HB 194	Morgan	<b>Health insurance credit; retired teachers.</b> Increases the health insurance credit for retired teachers from \$2.50 to four dollars per month for teachers for each full year of creditable service, not to exceed a maximum monthly credit of \$120 for teachers with 30 or more years of creditable service. <i>Carried over by House Appropriations..</i>	Comm: Yes to carryover	N/A	N/A
HB 221	Carrico	<b>Virginia Law Officers" Retirement System; deputy sheriffs.</b> Expands the definition of "employee" to include deputy sheriffs, making them members of the Virginia Law Officers" Retirement System. <i>Carried over by House Appropriations.</i>	Comm: Yes to carryover	N/A	N/A

### **DEFEATED**

HB 145	Darner	<b>Meet and confer.</b> Permits employees of the Commonwealth, its political subdivisions, or any governmental agency of any of them, to form associations for the purpose of discussing their interests with their employing agencies. <i>Defeated in House Commerce &amp; Labor (12-9).</i>	Comm: Yes to defeat	Comm: Yes to defeat	N/A
HB 222	Carrico	<b>Sheriffs; grievances.</b> Includes deputy sheriffs under the Law-enforcement Officers Procedural Guarantee Act. <i>Tabled in Militia, Police &amp; Public Safety (18-3).</i>	N/A	N/A	N/A

## **EDUCATION**

Bill Number	Patron	Bill Summary	Status	Critical Votes		
				Bryant	Byron	Newman
HB 621	Morgan	<b>Comprehensive Services for At-Risk Youth and Families.</b> <i>Summary as passed.</i> Requires the SEC to provide for public participation and comment in developing a dispute resolution procedure and to consult with local governments about state policies governing the use of moneys in the state pool of funds and the state trust fund. It clarifies the SEC's role in overseeing the dispute resolution procedure and requires formal notice to the chief administrative officer of the local government as well as to the chair of the Community Policy and Management Team (CPMT). The procedure shall also include provisions for remediation by the CPMT.	House: Passed with substitute (100-0).  Senate: Passed (38-0)  Governor:	Floor: Y	Floor: Y	Floor: Y

				Critical Votes		
				Bryant	Byron	Newman
HB 99	Callahan	<b>Commonwealth of Virginia Educational Facilities Bond Act of 2002.</b> Authorizes the issuance of Commonwealth of VA General Obligation Bonds in an amount not exceeding \$608,190,000 subject to approval by a majority of the qualified voters in a referendum to be held at the November 5, 2002, general election. The purpose of the bonds is to provide funds for financing the costs of capital projects for the Commonwealth's institutions of higher education. <i>House substitute increases ceiling to \$900,488,645.</i>	House: Passed with sub. (98-1). Senate: Passed with sub (39-0). House: Concur with Senate. Governor:	Comm: Yes on substitute.  Floor: Y	Floor: Y	Floor: Y
SB 681	Stosch	<b>The Public-Private Education Facilities and Infrastructure Act of 2002.</b> <i>Summary as passed by the Senate:</i> Authorizes private entities to acquire, construct, improve, equip, maintain or operate qualifying projects after obtaining approval of a public entity that has the power to take such actions. A "qualifying project" is (i) any facility that is operated as part of the public school system or as an institution of higher education; (ii) any building for principal use by any public entity; (iii) any equipment or improvements necessary to enhance public safety and security of the buildings; (iv) utility and telecommunications and other communications infrastructure; (v) a recreational facility; or (vi) any other facility that serves a public purpose. A responsible public entity may approve such a facility if it determines that (i) there is a public need; (ii) the estimated cost is reasonable (iii) the private entity's plans will result in the timely acquisition, construction, renovation, equipping, maintenance, or operation of the project; and (iv) it is more advantageous than a contract pursuant to the VA Public Procurement Act.	Senate: Passed with amendments (37-1).  House: Passed with substitute (86-13).  Senate: Concur.  Governor:	Floor: Y	Floor: Not voting	Floor: Y  Concur: Y
SB 402	Chichester	<b>Capital improvement plan and budget recommendations.</b> <i>Summary as passed.</i> Provides that a capital improvement plan and budget recommendations for capital projects which the Governor recommends be undertaken in the succeeding 5 years, shall be submitted to the General Assembly every 2 years, in the second fiscal year of each biennium. The plan is to be submitted by August 15. In each budget bill introduced in a regular session held in an even-numbered year, the Governor shall provide a biennial appropriation for capital projects in an amount not less than 2% of the projected general fund revenues for the biennium. The source of funding for the projects depends on the projected general fund revenue growth.	Senate: Passed with substitute (38-0).  House: Passed (98-0).  Governor:	Comm: Y  Floor: Y	Floor: Y	Floor: Y

				Critical Votes		
				Bryant	Byron	Newman
SB 604	Potts	<b>System of accounting in public schools.</b> Amended to only establish contingency reserves as a major classification of school funds. Required local governing bodies to carry forward on the books of the treasurer or other fiscal agent for the locality, any contingency reserve funds appropriated to the school board that have not been expended by June 30 of each year and require appropriation in the next fiscal year. These funds must be appropriated discretionary in the next fiscal year.	Senate: Passed (36-4). House: Passed with substitute. Senate: Concur Governor:	Floor: Y	Floor: y	Comm: Y Floor: Y Concur: Y
SB 170	Colgan	<b>Sales and use taxes; statewide and regional taxes to fund public education and transportation.</b> <i>Summary as passed by the Senate:</i> Provides for 3 referendum questions to be voted on at the 11/5/02 election, each question being mutually exclusive. 1). Asks the voters of the Eighth Planning District if there should be an additional ½ % sales & use tax in the localities of such district with the revenues to be used for regional transportation projects in Northern Virginia. 2) Asks the voters in several localities of the Hampton Roads Planning District if there should be an additional 1% sales & use tax in such localities with the revenues to be used for regional transportation projects in Hampton Roads. Both questions are contingent upon approval by a majority of persons voting. 3) Asks all persons in the State voting on 11/5/02, if there should be an additional ½% sales and use tax in all jurisdictions in the State with the revenues to be used for public schools. The additional taxes would become effective 7/1/03. <i>House substitute removes the statewide referendum option.</i>	Senate: Passed with substitute (32-8). House: Passed with substitute (54-45). Senate: Reject House substitute.  Conferees; Senate: Passed (33-4) House: Failed to pass	Comm: Y on sub  Floor: No	Comm: No to refer to Approp.  Floor: No	Floor: N
SB 692	Saslaw	<b>Local income tax.</b> Authorizes localities in the Eighth Planning District to impose a local income tax of ½ %, subject to voter referendum. Individuals and corporations would be subject to the tax. An amount equal to 7 ½ % percent of the revenues would be deposited into a Disparity Educational Fund for distribution to localities for nonrecurring public school expenditures. Only localities with a composite index under .32 would receive a distribution from the Fund. 50% of the revenues would be used for transportation purposes while 42 ½ % would be used for nonrecurring public school expenditures in the locality imposing the tax.	Senate: Reported from Finance with substitute (7-5-2). On 3rd reading. Passed Senate: (33-6)  House: Failed to pass			

				Critical Votes		
				Bryant	Byron	Newman
HJ 34	Ligamfelter	<b>Best practices in public school operations.</b> <i>Summary as passed the House:</i> Requests the Joint Legislative Audit and Review Commission to examine best administrative, fiscal, and service practices in the Commonwealth's public school divisions. In conducting the study, the Commission shall consider, the work of the Commission on Efficiency in the Use of Public School Funds; identify those programs and services that might be consolidated, are not achieving their intended purpose, or for which the mission is no longer relevant; identify those services, such as transportation, maintenance, food service, and other initiatives that might be effectively out-sourced; and develop recommendations regarding revenue-saving initiatives and practices.	House: Passed (100-0).  Senate: Passed with substitute (voice vote).  House: Concur	Floor: Y  Concur: Y	Floor: Y  Concur: Not voting	Floor: voice vote

### CARRIED OVER

HB 451	Dillard	<b>Sales and use tax; optional local tax for education.</b> Authorizes localities to levy an additional local sales and use tax at a rate of ½% with the revenues reserved solely for public education purposes. Must be approved in a local referendum. <i>Carried over by House Finance.</i>		N/A	Comm: Yes to Carryover	N/A
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### DEFEATED

HB 358	Reese	<b>School board budgets.</b> Modifies the school board budget process to require the division superintendent to prepare an estimate of the amount of money needed during the next fiscal year no later than 60 days before the proposed adoption date for the estimate. <i>Defeated in House Education (16-5).</i>		N/A	N/A	N/A
HB 550	Callahan	<b>VA Public Building Authority; bonds.</b> Authorizes the VA Public Building Authority to undertake numerous public capital projects throughout the Commonwealth. <i>Stricken from the docket in Appropriations.</i>		Comm: Y to strike.	Comm: Yes to refer to Approp.	N/A
HB 656	Dillard	<b>Sales and use tax.</b> Same provisions as HB451. The bill also increases the state sales and use tax by one percent in all cities and counties within the 8th Planning District to be used solely for public education purposes. <i>Tabled in Finance (22-0).</i>		Comm: Yes to rerefer to Finance.	Comm: 1 <sup>st</sup> vote: Yes to refer to Approp. 2 <sup>nd</sup> vote: Yes to table.	N/A

			Critical Votes		
			Bryant	Bryon	Newman
HB 657	Dillard	<b>Sales and use tax; additional tax in Eighth Planning District to fund education and transportation projects.</b> Increases the state sales and use tax by 1% in all cities and counties within the Eighth Planning District to only be used for transportation or education-related purposes. <i>Tabled in Finance (22-0).</i>	Comm: Yes to rerefer to Finance.	Comm: 1 <sup>st</sup> vote: Yes to refer to Approp. 2 <sup>nd</sup> vote: Yes to table.	N/A
SB 40	Potts	<b>Charter; City of Winchester.</b> Allows the City to increase its sales and use tax by 1 cent for the purpose of funding capital improvements and operating costs for public schools. <i>Passed by the Senate; Defeated in House Appropriations (12-13).</i>  Senate substitute broadened the bill to have a statewide application.	Comm: Yes to report.	Comm: No	Comm: No Floor: No to floor substitute making the bill statewide

**ZONING/ REDEVELOPMENT** (affects localities' control of their zoning processes)

Bill Number	Patron	Bill Summary	Status	Critical Votes		
				Bryant	Byron	Newman
HB 346	Albo	<b>Clustering of single-family dwellings so as to preserve open space.</b> <i>Summary as passed by the House:</i> A locality may provide in its zoning or subdivision ordinance standards, criteria for clustering of single-family dwellings and the preservation of open space developments. If proposals comply with the locality's adopted standards, the development and open space preservation shall be permitted by right under the local subdivision ordinance. Implementation shall be done by the locality's staff, without a public hearing. In any instance where the proposed density is greater than the density permitted, the locality may continue to require approval of a special exception, special use permit, conditional use permit or rezoning. <i>Senate amendment allows exemption for any development with less than 2 acres.</i>	House: Passed with substitute (96-4). Senate: Passed with amendments (40-0). House: Concur with Senate (91-7). Governor:	Comm: Yes on substitute.  Floor: Y  Concur: Y	Floor: Y  Concur: Not voting	Comm: Y  Floor: Y
				Critical Votes		



				Bryant	Byron	Newman
HB 477	Suit	<b>Advertisement of zoning amendments.</b> <i>Summary as passed.</i> Amends the existing advertisement requirements for certain zoning amendments to include changes to the applicable zoning ordinance text regulations affecting use or development density. Substitute incorporates portions of <b>HB603 (Black).</b>	House: Passed with amendments Senate: Passed (Governor:	Comm: Yes to substitute. Floor: Y	Floor: Y	Comm: Y Floor: Y
HB 1178	Hull	<b>Notice of zoning amendments.</b> <i>Summary as passed:</i> Provides that if the provisions of a recorded plat or final site plan, specifically determined by the governing body, to be in accordance with the zoning conditions previously approved, conflict with any underlying zoning conditions of such rezoning approval, the provisions of the recorded plat or final site plan shall control.	House: Passed with substitute (98-2). Senate: Passed Governor:	Comm: Y Floor: Y	Floor: Y	Comm: Y Floor: Not voting.

### CARRIED OVER

HB 233	Gear	<b>Redevelopment &amp; housing authorities.</b> <i>Summary as passed the House</i> No city may appoint more than 1 member of city council, or other city officer or employee, as a commissioner of a redevelopment & housing authority. <i>Passed House. Carried over by Senate General Laws.</i>		Floor: Y	Floor: Y	N/A
HB 255	McQuigg	<b>Uniform Statewide Building Code; separation distances between single-family homes.</b> Requires the Board of Housing & Community Development to develop regulations for standards for separation distances between single-family homes and property lines to promote public safety. <i>Carried over by House General Laws.</i>		N/A	N/A	N/A

### PUBLIC SAFETY

Bill Number	Patron	Bill Summary	Status	Critical Votes		
				Bryant	Byron	Newman
HB 324	Griffith	<b>Civil liability for drug dealers.</b> Creates a cause of action by which a drug dealer may be sued in tort for damages including, but not limited to, physical and emotional pain and suffering, the cost of treatment and rehabilitation, medical and support expenses, accidents or injury and any other loss proximately caused by the use of an illegal controlled substance.	House: Passed (100-0). Senate: Passed with substitute (39-0). Governor:	Floor: Y	Floor: Y	Floor: Y
HB 432	Hurt	<b>Carrying firearms during period of protective order.</b> <i>Summary as passed by the House:</i> Clarifies that any person with a concealed handgun permit is prohibited from carrying any firearm, concealed or otherwise, for the duration of any protective order, and requires surrender of his permit to the court entering the order. <i>Senate amendment is clarifying.</i>	House: Passed with amendments (100-0). Senate: Passed with amendments (40-0). House: Concur. Governor:	Floor: Y Concur: Y	Floor: Y Concur: Y	Floor: Y

SB 593	Hanger	<b>Local control of firearms.</b> <i>Summary as passed the Senate:</i> Provides that a statute that does not refer to firearms or ammunition shall not be construed to provide express authorization for localities to regulate firearms. After January 1, 1987, no locality shall adopt any ordinance, resolution, or motion, nor take any administrative action governing the purchase, possession, transfer, ownership, carrying or transporting of firearms, ammunition, or components or combination thereof other than those expressly authorized by statute. The bill states a locality is not prohibited from adopting workplace rules. <i>Conference amendment deletes language referring to protection of the workforce.</i>	<u>Senate:</u> Passed with substitute (30-10). <u>House:</u> Passed with amendments (72-27). <u>Senate:</u> Reject House amend. <u>Conference:</u>	<u>Floor:</u> Yes on floor amend. Yes on passage	<u>Floor:</u> Yes on floor amend. Yes on passage	<u>Floor:</u> Yes on Senate Sub.  <u>Reject:</u> Voted to accept House amend.
HB 61	Morgan	<b>Courthouses; construction and repair.</b> <i>Summary as passed:</i> Requires a panel to determine that a danger to health, welfare, and safety of court employees or the public exists before a judge can issue an order requiring a county or city to construct a new courthouse or to repair or secure an existing courthouse.	<u>House:</u> Passed with substitute (95-4). <u>Senate:</u> Passed (40-0). <u>Governor:</u>	<u>Comm:</u> Y  <u>Floor:</u> Y	<u>Floor:</u> Y	<u>Comm:</u> Y  <u>Floor:</u> Y
<b>CARRIED OVER</b>				<b>Critical Votes</b>		
				<b>Bryant</b>	<b>Byron</b>	<b>Newman</b>
HB 1127	Bryant	<b>Appropriations for law enforcement expenditures of local governments.</b> <i>Summary as passed the House:</i> Provides that any increase or decrease in HB 599 funding for law-enforcement expenditures of local governments shall equal the anticipated increase or decrease in total general fund revenue collections for the relevant fiscal year. Any changes in anticipated total general fund revenue collections as provided through amendments to the biennial budget in an odd year shall have no affect on the percentage change in HB 599 funding. Incorporates <b>HB 962 (Almond).</b> <i>Passed by the House; Carried over by Senate Finance.</i>		<u>Comm:</u> Y  <u>Floor:</u> Y	<u>Floor:</u> Y	N/A
SB 394	Whipple	<b>Same as HB 1127.</b> <i>Carried over by Senate Finance.</i>		N/A	N/A	N/A
<b>DEFEATED</b>						
HB 423	McQuigg	<b>"Photo-red" traffic light signal enforcement programs.</b> Allows any county, city, or town to have a "photo-red" traffic light signal enforcement program and adds new requirements for use. <i>Defeated in House Militia, Police &amp; Public Safety (12-9).</i>		N/A	N/A	N/A
SB 404	Rerras	<b>Assessment for courthouse security.</b> Allows localities to assess each criminal, civil and traffic case a fee of up to ten dollars for courthouse security. <i>Passed Senate (33-7). Defeated in House Courts of Justice (9-13), although HB 15 was amended to add 1 dollar to fund general district courts.</i>		N/A	N/A	<u>Floor:</u> Y

## OTHER BILLS OF INTEREST

Bill Number	Patron	Bill Summary	Status	Critical Votes		
				Bryant	Byron	Newman
HB 235	Gear	<b>Freedom of Information Act; definition of working papers.</b> <i>Summary as passed by the House:</i> Provides that unless otherwise excluded by FOIA, reports of consultants hired by or on behalf of a local public body and in the possession of the mayor or chief executive officer of such public body shall not be withheld from disclosure as working papers.	House: Passed with amendment. (97-2). Senate: Passed with substitute House: Concur. Governor:	Floor: Y Concur: Y	Floor: Y Concur: Y	Floor: Y

### CARRIED OVER

				Critical Votes		
				Bryant	Byron	Newman
HB 271	Callahan	<b>Local outdoor lighting standards and regulations.</b> Grants all localities authority to establish by ordinance outdoor lighting standards and regulations. <i>Carried over by House Counties, Cities &amp; Towns.</i>		Comm: Yes to carryover	N/A	N/A
SB 100	Howell	<b>Local outdoor lighting standards and regulations.</b> Same as HB 271 <i>Passed Senate (30-8). Carried over by House Counties, Cities &amp; Towns.</i>		Comm: Not Voting	N/A	Comm: Y Floor: No
SB 118	Stosch	<b>Public-Private Transportation Act of 1995; financing of and costs incurred in the implementation of transportation facilities.</b> Debt obligations issued by tax-exempt corporations or public authorities to finance transportation facilities shall not constitute a debt or obligation of the Commonwealth and, therefore, are not subject to review by the Department of the Treasury. <i>Carried over by Senate Transportation.</i>		N/A	N/A	Comm: Yes to carryover

### DEFEATED

HB 483	Suit	<b>Public comment at meetings.</b> Requires governing bodies & school boards to provide a reasonable opportunity for the public to comment on matters of concern prior to taking official action. <i>House: Tabled in Counties, Cities &amp; Towns.</i>		Comm: Yes to table.	N/A	N/A
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### LEGISLATION SPONSORED BY LYNCHBURG AREA LEGISLATORS

Bill Number	Patron	Bill Summary	Status	Critical Votes		
				Bryant	Byron	Newman
SB 457	Hawkins	<b>Securitization of payments under the Master Settlement Agreement.</b> <i>Summary as passed by the Senate:</i> Authorizes the Governor to sell 50% of the annual amount received by the Commonwealth from the Master Settlement Agreement with proceeds to be deposited into the Tobacco Indemnification & Community Revitalization Endowment Fund. The income of the Endowment and up to 15 % of the corpus of the Endowment shall be paid annually to the Tobacco Indemnification & Community Revitalization Fund.	<u>Senate:</u> Passed with sub (39-0). <u>House:</u> Passed with amendment (84-15). <u>Senate:</u> Concur with House Governor:	<u>Floor:</u> Y	<u>Comm:</u> Y <u>Floor:</u> Y	<u>Floor:</u> Y <u>Concur:</u> Y
				Critical Votes		
				Bryant	Byron	Newman
HB 698	Byron	<b>Securitization of payments under the Master Settlement Agreement.</b> <i>Summary as passed by the House:</i> Authorizes the Governor to sell any or all of 50% of the revenues derived from the Master Settlement Agreement with proceeds to be deposited into the Tobacco Indemnification & Community Revitalization Endowment Fund. The income of the Endowment and up to 10% of the corpus of the Endowment shall be paid annually to the Fund. Incorporates <b>HB 649 (Dudley)</b> .	<u>House:</u> Passed substitute(78-22). <u>Senate:</u> Passed with amendments (40-0). <u>House:</u> Concur Governor:	<u>Comm:</u> Yes on substitute. <u>Floor:</u> Y <u>Concur:</u> Y	<u>Comm:</u> Yes to refer to Approp. <u>Floor:</u> Y <u>Concur:</u> Y	<u>Floor:</u> Y
HB 151	Bryant	<b>Additional fees in courts that provide legal services for the poor.</b> Raises the additional fees collected in all localities in which civil legal representation is provided for the poor, without charge, by a nonprofit legal aid program organized under the auspices of the Virginia State Bar, from 2 to 4 dollars in both district and circuit courts.	<u>House:</u> Passed (58-41). <u>Senate:</u> Passed with substitute (40-0). <u>Conference:</u>	<u>Floor:</u> Y <u>Concur:</u>	<u>Floor:</u> No <u>Concur:</u>	<u>Floor:</u> Y
HJ 255	Bryant	<b>Expressing the sense of the General Assembly regarding land conservation.</b>	<u>House:</u> Passed 99-0. <u>Senate:</u> Passed with amendment <u>House:</u> Concur	<u>Floor:</u> Y <u>Concur:</u> Y	<u>Comm:</u> Y <u>Floor:</u> Y <u>Concur:</u> Not voting	<u>Floor:</u> Voice Vote

### CARRIED OVER

HB 180	Bryant	<b>Funding of local health departments.</b> Requires, the Board of Health to include, in any agreement for the operation of a local health department, or any funding allocation for an independent local health department, that the state shall assume, on a phased-in basis, the full costs of such services and operations, as are required by state law. <i>Carried over by House Health, Welfare &amp; Institutions.</i>	N/A	N/A	N/A
HB 699	Byron	<b>Local tax on motor vehicles; supplanting lost local revenues.</b> Repeals the local property tax on nonbusiness motor vehicles and allocates a 15% distribution of the state individual income taxes, Contingent upon the adoption of a constitutional amendment. <i>Carried over by House Finance.</i>	N/A	Comm: Yes to carryover	N/A
HB 1124	Bryant	<b>Sales and use tax exemption; Academy of Music Theatre, Inc.</b> <i>Carried over by House Finance.</i>	N/A	Comm: Y	N/A
			<b>Critical Vote</b>		
			<b>Bryant</b>	<b>Byron</b>	<b>Newman</b>
HB 1308	Bryant	<b>Department of Planning and Budget; funding for nonstate agencies.</b> Provides new procedures for filing and receiving state funding for nonstate agencies. <i>Carried over by House Appropriations.</i>	Comm: Yes to carryover	N/A	N/A
HJ 117	Byron	<b>Constitutional amendment; taxation of certain motor vehicles.</b> Exempts nonbusiness motor vehicles from the property tax. At least 15% of the state individual income tax to be distributed to local governments. <i>Carried over by House Finance.</i>	N/A	Comm: Yes to carryover	N/A

### DEFEATED

SB 509	Newman	<b>Educational opportunity programs.</b> Increases, the program for at-risk four-year-olds to cover 100 % of the eligible children and to provide funding to those localities that have been delivering this program on at least a half-day . <i>Defeated in Senate Finance.</i>	N/A	N/A	Comm: Y to refer to Finance.
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### Committee Assignments of Local Legislators

Senator Newman: Education and Health  
Local Government  
Rehabilitation and Social Services  
Transportation

Delegate Byron: Agriculture, Chesapeake & Natural Resources  
Commerce and Labor  
Finance  
Science and Technology

Delegate Bryant: Appropriations  
Commerce and Labor  
Counties, Cities and Towns

## **VML Budget Summary**

**HB 599 Funding.** Revises the funding for FY03 based upon the reduced revenue projection (\$174,274,876, which represents a reduction of \$2,568,195 from the introduced budget); freezes the FY04 funding at the FY03 level, which represents a \$12,049,437 reduction from the introduced budget.

**ABC Profits.** An additional reduction of \$5.8 million in ABC profits distributed to localities over the biennium. The introduced budget reduced the distribution by approximately 50 percent.

**Personal property tax audit.** The conference report establishes a process to ensure that citizens do not receive car tax relief for business vehicles. It is not clear what the ultimate effect of the language will be, but there is cause for concern. The language refers to a certification process, which VML opposed because of the additional cost it will impose on localities. However the language also creates a Personal Property Tax Relief Compliance Task Force to address the tax relief eligibility issue. The task force includes DMV, the Department of Taxation and local assessing officials. VML plans to consult with various local officials and money committee staff to determine whether further amendments to this language are necessary to minimize the fiscal impact on localities.

## **EDUCATION**

VRS does its part, but federal funding really makes state funding for education look a lot better than it would otherwise in the upcoming fiscal year (FY03). The conference report appropriates in FY03 an additional \$27 million in federal special education funding and \$68.8 in federal money from the No Child Left Behind initiative. There are decreases in federal funding as well--\$11 million in FY03 and \$8.7 million in FY04. This additional funding in FY03 helps mitigate cuts and deletion of other programs. Here is an overview of the major funding issues addressed in the conference report. (These items focus just on the conference report put forward by the House and Senate. The introduced budget included other funding cuts as well, such as in the teacher retiree health care program and the elimination of the lottery hold harmless grant program. The league will produce a report that integrates all the funding issues early next week.)

## Direct Aid to Education

- Restore one-half of the cuts-resulting from the proposed elimination of the school construction grants program (\$27.5 million in each year)
- Eliminate salary increase for teachers (-\$28.4 million in FY03; -\$48.6 million in FY04)
- Reduce funding to VRS to reflect a group life premium holiday in both years (-\$7.8 million in FY03; -\$7.97 million in FY04)
- Update VRS rates for support positions (-\$2.6 million in FY03; -\$2.7 million in FY04)
- Diversion of Literary Fund revenues generated by HB606 (-\$4.7 GF; \$4.7 NGF m in both years)
- Reduce direct aid funding to reflect updated inflation estimates (-\$33.3 million in FY03; - \$33.5 million in FY04)
- Eliminate new funding for school community health centers (-\$1.5 million in each year)
- Eliminate SOL Teacher Training Program (-\$17.3 million in FY03; -\$14.4 million in FY04)
- Eliminate SOL Materials Program (\$3.2 million in each year; this is in addition to the \$3.2 million annual reduction in the introduced budget)
- Eliminate funding for Virginia Guaranteed Assistance Program (VGAP) (-\$1.23 m in each year)
- Reduce funding for several categorical programs by 7 % the first year and 8% the second: Project Discovery (-76,003 in FY03, -\$86,860 in FY04); At-Risk (-\$3.1 million in FY03; - \$3.7 million in FY04); Dropout Prevention (-\$767,972 in FY03; -\$877,684 in FY04)
- Begin addressing Tier 1 funding deficiencies noted in JLARC education funding report by eliminating several existing programs (reduction of \$39.5 million in FY03 and \$39.4 million in FY04) and adding funding (\$28.9 million in FY03 and \$104 million in FY04) to phase in part of the Tier 1 recommendations. Here are more details on the programs proposed to be eliminated:
  - ◆ Additional teachers (-\$39.5 million in FY03 and -\$39.4 million in FY04)
  - ◆ Maintenance supplement (-\$9.6 million in FY03 and -\$9.7 million in FY04)
  - ◆ Several non-statewide programs distributed to individual school divisions (including the Blue Ridge Regional Education and Training Council, Advancement Via Individual Determination, Hampton Roads Public Education Regional Cooperative, Project ECOLE, elementary alternative education pilots, Reading Recovery, Western Virginia Public Education Consortium (total of -\$1.2 million in each year.  
These programs are added:
    - ◆ Phase in the elimination of the practice of deducting locally generated costs from the calculation of the cost of the SOQ, with only 50 percent of the revenues deducted in FY03 and none deducted in FY04 (additional state costs for basic aid of \$24.8 million in FY03 and \$49.99 million in FY04)
    - ◆ Begin to phase in recognition of the costs of administrative positions (school board services, executive administration services, information services, personnel services, planning services, fiscal services, purchasing services, copying and printing, and data processing) in the calculation of the costs of the SOQ. Funding is provided to pay for the state share of 5.8 percent of state share in FY03 (\$4.1 million) and 72 percent in FY04 (\$54.2 million).
    - ◆ Require DOE to determine if localities are meeting required local effort provisions (as recommended in the JLARC report)

- Update K-3 primary class size reduction program to reflect inflation and other technical factors (\$-649,976 in FY03 and -\$496,977 in FY04)
- Distribute an additional \$9.9 million in lottery proceeds in FY03 and \$10.0 million in FY04. Of this, 60 percent, or \$6.3 million in FY03 and \$6.4 million in FY04, pays for a portion of the state share of basic aid costs. As a result, the budget shows a reduction of \$6.3 million in FY03 and \$6.4 million in FY04 in state basic aid. The remaining 40 percent is distributed to school divisions.
- Reduce funding for the At-Risk Four-Year-Old Program in anticipation of participation savings (-\$1.4 million in FY03; -\$2.9 million in FY04)
- Reduce funding for the K-3 primary class size program in anticipation of participation savings (-\$1.2 million in FY03; -\$1.0 million in FY04)
- Language restoring flexibility for school divisions to use remediation funding as a block grant.
- Appropriate and eliminate federal education funding including
- ◆ Elimination of federal School-to-Work grants due to expiration of program (-\$11.4 million in FY04)
- ◆ Additional \$27.4 million in FY03 in federal special education aid
- ◆ Additional \$16.9 million in FY03 as state share of federal Reading First grants
- ◆ Additional \$52 million in FY03 as state share of federal teaching quality grants
- ◆ Eliminate of Goals 2000 funding (-\$8.7 million in FY04) due to expiration of program

### **Central Office-Dept. of Education**

- Eliminate of regional best practice centers (\$1.8 million in FY03 and \$2.4 million in FY04)
- Defer web-based SOL testing program for one year (\$2.99 million in FY03; \$446,189 in FY04)
- Federal funding of \$7.9 million in FY03 to begin complying with new federal assessment requirements
- Language requiring DOE to work with DMAS to expand services covered under the special education billing program, generating additional federal Medicaid funds for local school divisions.

### **AID TO LIBRARIES**

- Reduce budget cut to public libraries in the introduced budget by adding \$3.5 million in each year of the biennium. The introduced budget contained a 25 percent cut in each year for libraries; the funding restoration means the libraries will be cut approximately the same as other agencies.

### **SALARY INCREASES**

- Add \$63.4 million in FY03 to provide a one-time bonus of 2.5 percent of base compensation for state employees and higher education employees for FY03 (10 days of compensatory time off with pay can be taken instead)



- Establish a compensation reserve of \$101.4 million in FY04 to provide a salary increase in Dec. 2003 for state employees, public school employees and state-supported local employees.
- Reduce funding by \$30.7 million in FY03 and \$55.7 million in FY04 to eliminate salary increase for state employees, teachers, and state-supported local employees included in the introduced budget).

## **VRS**

- Change schedule for state agencies to make contributions to VRS from a monthly to a quarterly basis.
- Reduce contribution rates for state employee group life program by providing funding for only active employees (-\$17.8 million in FY03 and -\$18.5 million in FY04).
- Capture savings by settling dormant VRS accounts and accelerates the collection of these savings to FY02.

## **HEALTH & HUMAN RESOURCES**

**Comprehensive Services Act.** Fully restores funding to both years and restores the current local match requirements for the program. Eliminates language regarding a 50 percent match across-the-board. Removes language to move the foster care prevention program to the Dept. of Social Services. Includes language to require development of plans to improve the program and contain costs, including new minimum standards for use of federal funds in the program at the local level (e.g., Medicaid and Title IV-E), assessment of negotiated statewide contracts for services, and revised allocation methodologies and cost-sharing formulae for localities.

**Homeless programs.** Restores federal TANF funds (NGF) to the Department of Housing and Community Development for homeless programs (\$4.25 m in FY03; \$5.0 m in FY04)

**Area Health Education Centers.** Reduces funding for this program by 10 percent each year, and allows flexibility for allocation of remaining state funds among these centers. Adds language to redirect the activities of those programs with general fund dollars.

**Emergency medical services.** Provides \$3.2 m each year to improve EMS throughout Virginia. Specifically, it will be used to address concerns raised in the 1999 EMS task force report.

**CHIP.** Restores \$125,000 each year of the proposed general fund reductions for the Comprehensive Health Investment Project. May retain the federal TANF funds as well.

**Well/septic inspections.** Allows the Health Commissioner to increase state fees for well and septic inspections by no more than \$37.50.

**Sewage Appeals.** Reduces, but does not eliminate funding for the Sewage Appeals Review Board.

**FAMIS.** Increases general funds by \$1.05 in FY03 and \$1.16 in FY04.

**Local DSS consolidation.** Adds language to encourage, but not require consolidation of local offices of social services.

**Substance abuse funding.** Restores funding for Medicaid coverage of substance abuse services, which the General Assembly had approved in FY02. The funding begins April 1, 2004 (\$1.3 GF; \$1.29 NGF).

**Direct services for behavioral health consumers.** Language exempts direct services for mentally disabled persons from across-the-board cuts. Restorations and increased Medicaid revenue in another program equates to just a one percent reduction in community services boards. These actions would leave remaining cuts of \$1.2 m in FY03 and \$2.23 in FY 04, versus the proposed \$25.6 million cut in the introduced budget.

## **NATURAL RESOURCES**

**Drinking Water User Fees.** Substitutes \$1.02 m in user fees for same amount of general fund dollars used to support the drinking water tests from approximately 1,100 small and 35 medium-sized water suppliers that are performed by the Division of Consolidated Laboratory Services.

**Water and Waste Permit Fee Study:** Language amendment requires the Secretary of Natural Resources to complete a Permit Fee Study by November 14, 2003. A long-term plan to adequately fund the DEQ's water, waste and hazardous waste regulatory programs will be developed.

**Merge Chesapeake Bay Local Assistance Department with Department of Conservation & Recreation:** Cuts Chesapeake Bay Local Assistance Department funding by (\$2,000,000) as a result of merging CDLAD with the Department of Conservation & Recreation.

**Water Quality Improvement Fund for Best Management Practices:** Appropriates \$2,179,000 from interest earned on the Water Quality Improvement Fund for agricultural Best Management Practices. Of this amount, \$2,000,000 is from interest earned on point source funds, and \$179,000 is from interest earned on nonpoint source funds. (NOTE: No funding is included for the Water Quality Improvement Fund for point source projects, which continue to fall behind in state funding support.)

**Dredging Pretty Lake in Norfolk:** Includes \$100,000 from the general fund for the City of Norfolk to dredge a channel for boat access in Pretty Lake. Requires dollar-for-dollar City match.

**Soil and Water Conservation Districts/Potomac Tributary Strategy Plan:** Decreases by 50% the money available to Soil and Water Conservation Districts for implementation of local tributary strategies under the Chesapeake Bay Program.

**Virginia Outdoors Foundation:** Provides \$400,000 for the Virginia Outdoors Foundation.

**Total Maximum Daily Loads (TMDLs):** Provides \$1.3 million of federal funds in fy2003 and \$500,000 of general fund support in fy2004 for DEQ's TMDL program. TMDLs are required by the federal Clean Water Act and by state statute. TMDLs are standards for pollutants, and represent the maximum amount of discharge that can be made into any "impaired" segment of Virginia's waterways. Some 648 TMDLs must be developed in Virginia. Along with each TMDL standard, a plan for ending the violation of these standards in state waters must also be developed. If Virginia does not establish the TMDLs, then EPA will do so.

**Wetland Permitting:** Provides funding for the non-tidal wetland permitting program (State Programmatic General Permit – SPGP). The SPGP will allow DEQ to handle wetland permitting in an expedited manner that is simpler and quicker, compared to the federal regulatory program. To implement the SPGP, DEQ will need eight additional FTE's. Funding sources are \$236,000 each year in program fees and \$250,000 each year from the Virginia Emergency Environmental Response Fund, representing fines collected as a result of wetlands regulation violations. In addition, the DEQ will apply for federal grants, including a Coastal Zone Management Grant, to ensure effective implementation and enforcement of Virginia's nontidal wetlands program for a total of \$972,000.

**Groundwater and Water Supply Studies:** Provides \$850,000 to develop a statewide water supply planning initiative and to sponsor groundwater research.

**Elizabeth River Water Quality Monitoring:** Reduces the amount available for water quality monitoring on the Elizabeth River by (\$225,000) the first year and (\$225,000) the second year. A companion amendment directs funds for sediment cleanup in the Elizabeth River.

**Environmental Mitigation for Virginia Beach:** The amount for Oyster Propagation and Habitat Improvement includes \$65,999 the first year from the general fund for an environmental mitigation project in the City of Virginia Beach.

**Combined Sewer Overflows:** The Conference Committee did not provide funding for Combined Sewer Overflow (CSO) projects in Richmond and Lynchburg.

## **PUBLIC SAFETY & JUDICIARY**

**Compensation Board appeals.** Places a moratorium on appeals of Compensation Board action through FY 04 due to budget-reduction actions by the General Assembly, while allowing constitutional officers to sue local governments.

**Compensation Board reductions.** Reduces the budget for the Board and for all constitutional officers, except sheriffs, by seven percent in FY03 and eight percent in FY04. The sheriffs's budget is reduced by five percent each year (which is stated to be the same reduction in HB599 funding). Another amendment eliminates the across-the-board reduction for the Board and all constitutional officers.

**June Reimbursements.** Shifts the change in Comp. Board reimbursements to all constitutional officers in June to 2002. The introduced budget proposed this shift in FY 2003. This means that

constitutional officer reimbursements, usually furnished to localities in June, will be shifted to July in FY 2002 only...for now.

**Per diems.** Increases the amount available for per diem payments for state-responsible offenders housing in local and regional jails (\$2.9 in FY03 and \$6.8 in FY04). Another amendment restores \$5 million each year in similar funding.

**Federal inmates.** Adopts changes in the methodology used to determine the amount local jails are to reimburse the state for housing federal and out-of-state inmates. The changes equate to a \$3.8 million reduction each year.

**VJCCCA Funding/Offices on Youth.** Eliminates funding for all local offices on youth. Reduces by 51 percent in both years the funding for the Virginia Juvenile Community Crime Control Act (VJCCCA) and requires the Department of Juvenile Justice to present a plan for converting the program into a competitive grants program in FY04. There is no mention of the local match from Governor Warner's amendments, but there is mention that the new plan will include a budget for proposed expenditures of these funds "and any other resources to be committed by localities." In FY03, DJJ has discretion to distribute funding with an emphasis on fundamental, appropriate services that can be maintained with this appropriation and "resources

**Processing fees.** Increases processing fees for criminal and traffic cases in general district courts and combined general district courts by \$12 and filing fees for civil actions by \$4. A companion amendment makes the same adjustment for juvenile and domestic relations courts (increase of \$12 for misdemeanor and traffic cases; \$4 for civil actions).

**Violent sexual predators.** Requires the Attorney General to review a recent U.S. Supreme Court decision related to civil commitment of such persons prior to committing funds for implementation of this program.

**Supplementing circuit court clerks.** Authorizes local governments to supplement the salary of circuit court clerks with local funding.

**Substance abuse treatment.** Eliminates funding for the Substance Abuse Reduction Effort in local community corrections programs. Also limits the amount that DCJS may spend on state administration in order to maximize the amount of funds available to localities. Another amendment eliminates \$424,947 in FY03 and \$434,947 in FY04, as well as \$700,000 in NGF for provision of jail-based substance abuse treatment programs.

## **COMMERCE & TRADE**

**Regional Competitiveness Act.** Reduces funding for the program by \$18 million over two years; adds \$4.0 million for workforce services programs managed by the state's 19 regional partnerships.

**Enterprise zones.** Reduces the appropriation for the enterprise zone job grant program by \$240,000 each year and authorizes the proration of awards if necessary.

**Housing and Community Development reduction.** Reduces the budget for the department by four percent each year.

**Economic Development Partnership.** Reduces the funding for the partnership by \$1 million in FY03.

**Business incubators.** Reduces funding for small business incubator program by \$325,000 each year and requires an assessment of the program.

**Technology employment.** Eliminates \$200,00 in the second year for the Technology Employment Grant Fund.

**Regional tourism.** Reduces funding for the regional tourism program by \$200,000 each year.

**Tourism Authority.** Reduces by \$1 m each year the funding for the VA Tourism Authority's marketing and advertising program. Another amendment requires a plan to merge the Authority with the Virginia Economic Development Partnership.

## **TRANSPORTATION**

**Reductions.** Attempted to mitigate the pending transportation cuts affecting primary, secondary and urban roads. However, the Commonwealth Transportation Board (CTB) and the Virginia Department of Transportation (VDOT) must implement the budget actions in the forthcoming FY 2003 six-year plan. The CTB intends on adopting the new plan prior to July 1.

To help to address the budget shortfall, former Governor Gilmore had proposed transferring more than \$652.0 million from the Transportation Trust Fund (TTF) (\$317.0 million in FY 2003 and \$335.6 million in FY 2004) to the state's general fund.

**FRANS.** In FY 2003, the conferees propose replacing the \$317.0 million with additional debt in the form of Federal Revenue Anticipation Notes (FRANs). The proceeds may be spent on projects in the secondary system as well as projects in the six-year plan, the Virginia Transportation Act of 2000 (VTA) and the transit vehicle and equipment program. The FRANs replace GF support of more than \$15.7 million to the same transit program. The FRAN debt is supported with general funds. As expected, the conferees did not propose raiding the TTF in FY 2004 (\$335.6m).

**Virginia Transportation Act.** Restored more than \$106.0 million of GF dollars in FY 2004 to support VTA projects. The funding helps to mitigate cuts to regional primary allocations (particularly in the Lynchburg, Richmond and Salem districts).

## TECHNOLOGY

**Wireless E-911 Fund.** The introduced budget transferred \$5.4 million from the Wireless E-911 fund to support the Virginia State Police's dispatch center operations including related costs incurred for answering wireless 911 telephone calls. Additionally, the budget as introduced transferred \$8.25 million from the fund to the Virginia Geographic Information Network Division. The conferees accepted the above recommendations and appropriated an additional \$2 million from the fund to the state police for dispatch center operations (for a total biennial transfer of \$7.4 million to the state police).

### **Conflict of Interest Bill Carried Over**

At the request of the patron, Senate General Laws on March 4 carried over HB112 (Marshall, R.), which would have permitted localities to require citizens who serve on advisory committees and commissions reviewing land use issues to disclose personal conflicts of interests.

### **Church Holdings Bill Moves Forward**

Both houses have approved a conference report for HB183 (Parrish). The final version of the bill authorizes trustees of a church to take and hold in any city or town not more than 50 acres of land at any one time, provided the land is devoted exclusively to enumerated church-related uses. This is basically the same language included in the bill that originally came to the Senate. The Attorney General raised questions about the constitutionality of the statute, however, so the Senate had proposed deleting the entire code section. The compromise conference report, however, retains the section as amended and adds this language as well: *The Office of the Attorney General shall intervene on behalf of any city, town or county to enforce the provisions of this section. The Office of the Attorney General shall be the proper party to be named as the defendant in any suit or action brought against the Commonwealth challenging the validity of this section.*